

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

**Specification Amendments:**

The specification has been amended to correct minor grammatical and typographical errors found therein. No new matter has been added.

**Status of Claims:**

Claim 22 is currently being cancelled.

Claims 1, 2, 6, 8-12 and 15-21 are currently being amended.

Claim 23 is currently being added.

This amendment adds, cancels and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-21 and 23 are now pending in this application.

**Rejection of Claims 15-22 – 35 U.S.C. Section 101:**

In the Office Action, claims 15-22 were rejected under 35 U.S.C. Section 101, as being directed to non-statutory subject matter, for the reasons set forth on pages 2 and 3 of the Office Action. Claims 15-21 have been amended to recite “A computer-readable medium that has stored therein a computer-readable program,” and thereby these claims are now believed to recite statutory subject matter.

**Rejection of Claims 1-22 – Prior Art:**

In the Office Action, claims 1-22 were rejected under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent Publication No. 2003/0069844 to Koren. This rejection is traversed with respect to the presently pending claims, for at least the reasons given below.

Presently pending independent claim 1 has been amended to recite that, in a case in which said user terminal denies payment of an order corresponding to the order ID at a later point in time, the user of said user terminal is requested to input voice through said voice input unit of said user terminal, wherein the voice inputted through said voice input unit is compared stored voice data corresponding to at least one of the order ID voice data and the name voice data stored at server and which was obtained when the order ID was made at a previous point in time, and wherein the user is determined to either have made or not have made the order corresponding to the order ID based on whether or not a voice recognition procedure performed by said server determines that the input voice and the stored voice data are from a same person.

In particular, as described on page 18 of the specification, if, after the server processes an order, and the user rejects to pay, a procedure is performed to determine if the user actually made that order at a prior point in time, by making a voice comparison between the user's voice and the voice stored by the server when the order was made by the purported user at the prior point in time.

The above-stated features of claim 1 are not disclosed or suggested by Koren, which merely describes the use of voice recognition at the time of the order is being made in order to determine if a user is allowed to make a purchase using his/her cellular telephone. That authorization is based on comparing the voice of the user with previously stored voice obtained during a user registration process. See paragraphs 0033 and 0117 of Koren in particular.

Accordingly, since presently pending independent claims 8 and 15 recite similar features as those discussed above with respect to presently pending independent claim 1, all of the presently pending claims are believed to patentably distinguish over the teachings of Koren.

**New Claim 23:**

New claim 23 has been added to recite additional features of a voice recognition specialist that is used by the server to determine if a user had actually made an order via a cellular phone at a previous point in time. These features are believed to provide a separate basis for patentability of this claim.

**Conclusion:**

Since all of the objections and rejections raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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